

Board of Supervisors

Meeting Minutes 06/26/06

The Dover Township Board of Supervisors regular meeting for June 26, 2006 was called to order at 7:09 PM by Chairman Shane Patterson in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Shane Patterson, Duane Hull, Michael Husson, Madelyn Shermeyer, and Curtis Kann. Other Township Representatives in attendance were Atty. Charles Rausch, Township Solicitor, Terry Myers, Township Engineer, Georgia Sprenkel, Acting Zoning Officer, Laurel Wilson, Township Manager, and Dawn Slegel, Recording Secretary. Also in attendance were 27 citizens and 1 reporter. This meeting has been recorded for minutes purposes only.

Chair Patterson announced that a work session was held at 6 PM this evening to review and receive comment on a draft ATV ordinance. The Pledge of Allegiance was recited.

DELIBERATION ON DEHOFF APPEAL

Chair Patterson announced that the Board of Supervisors would recess into deliberations on the DeHoff Appeal. He also stated that he would recuse himself from the decision on this appeal since he is a relative to Mr. DeHoff. The Board recessed at 7:10 PM. The meeting reconvened at 7:34 PM. A roll call decision was taken by Chair Patterson on whether Sewage Enforcement Officer Bradley Hengst decision for denial of the repair permit to Mr. Louis DeHoff of Sky Top Trail should be upheld. C. Kann voted to uphold; M. Husson voted to uphold; M. Shermeyer voted to not uphold; D. Hull voted to not uphold. Chair Patterson stated that a 2-2 vote means that SEO Bradley Hengst's decision will be upheld and the denial of the permit stands. Atty. Rausch added that a findings of fact and the conclusion of law decision will be mailed to the applicant along with information on his appeal rights.

WORK SESSION MINUTES FOR JUNE 12, 2006

Supervisor Kann made the following correction to the work session minutes for June 12, 2006: Steve *Stefanowicz* of Harbold's Trailer Sales commented throughout the work session, not Steve Harbold.

Motion by D. Hull and second by M. Husson to approve the work session minutes for June 12, 2006 as corrected. Passed with 4 ayes and 1 abstention by S. Patterson.

MEETING MINUTES FOR JUNE 12, 2006

Motion by C. Kann and second by M. Husson to approve the meeting minutes of June 12, 2006 as presented. Passed with 4 ayes and 1 abstention by S. Patterson.

TREASURER'S REPORT - Chair Patterson presented the warrant total for June 26, 2006 in the amount of \$457,064.08. **Motion** by M. Shermeyer and second by D. Hull to approve the current expenditures for June 26, 2006 in the amount of \$457,064.08. Passed with 5 ayes.

PUBLIC COMMENT PERIOD

Barbara Deardorff, 4270 Nursery Road, commented that the Board should revisit the requirements of the Sewage Management Ordinance. She explained a situation in which her mother-in-law sold her property which needed an inlet baffle repair to her septic system which cost an additional \$1,771 to upgrade the 1,000 gallon tank with another 500 gallon tank. This cost was placed on a retired 84 year old lady with a two bedroom mobile home.

Kjell Bjorkman, 1210A Cherry Orchard Road (Deer Park Estates), stated that he is due this year for his inspection of his septic system. He has not had it pumped or inspected yet. His neighbors have had the same kind of problems and spent \$3,000 to 4,000 in a development that is not very old. He has been reading the newspaper and suggested that if the Supervisors were unaware of the required upgrades, they should have the power to rescind their Ordinance.

Betty March, 2832 Grandview Avenue, inquired if there was a mistake with the two bag option for garbage collection. Supervisor Shermeyer responded that the two bag option cost is \$181.20 per year. Mrs. March protested the fairness of the cost for older people. Supervisor Shermeyer explained the cost saving by utilizing the per bag option.

Brad Shoff, 1781 Palomino Road, asked about the removal of the toters from his son's George Street residence when his last garbage scheduled pick-up is not until Thursday. He commented that the weed situation behind his home has not yet been addressed. Ms. Sprenkel reported that she did send the developer a notice of violation and he has five days from receipt to cut the weeds. He also noted a dog feces problem on the Brookside Park Ballfield.

Raymond Wilt, 3040 Brookside Avenue, explained a stormwater run-off problem from a neighboring business, Progressive Services at 1806 Spangler Avenue, directed onto his property. He presented photographs to the Board. The Township staff will check their regulations and address the matter appropriately.

Paulette Poe, 5281 North Salem Church Road, described a situation that occurred with not allowing local traffic in or out of North Salem Church Road on Saturday morning, June 17th, during the Double Creek Bike and Half Marathon Race. Chair Patterson stated that this issue will be addressed at next year's request.

ZONING OFFICER'S REPORT by Georgia Sprenkel

William Walters, 5060 N. Salem Church Road - Waiver Request from Connection to Public Water and Sewer - David Hoffman of Land Surveyors represented Mr. Walters for his waiver request. Mr. Hoffman presented a sketch plan for the Board to review. Mr. Walters owns a property on North Salem Church Road. He desires to subdivide this property to contain a small lot of less than two acres with his existing dwelling and construct a new home on the remaining approximate ten acres. According to the Subdivision and Land Development Ordinance, he would be required to connect to the public water and sewer systems because the property is within 1,000 feet of those services. Mr. Walters is requesting a waiver because this is not feasible based on the cost involved. The estimated cost to run the water line 1,200 feet would be \$42,000. The estimated cost to extend the sewer line 670 feet minimally would be \$31,000. He is interested in connecting the public sewer to his new home. The estimated cost of that connection would be approximately \$11,000.

The existing dwelling has an on-lot septic system and a well. The new dwelling is proposing connection to the public sewer system and a new well. The Board discussed the feasibility of the extensions for public water and sewer services. **Motion** by M. Shermeyer and second by M. Husson to waive the requirement of extending water and sewer lines the full length of the property to serve the existing dwelling with the condition that the proposed new dwelling will be required to connect to the public sanitary sewer system. Supervisor Husson questioned whether a replacement area was available in case the septic system failed. Mr. Hoffman confirmed a site to the rear of the property behind the garage. **Passed** with 5 ayes.

Donwood Preliminary Subdivision Plan - Ms. Sprenkel reported that the Donwood Preliminary Subdivision Plan has been withdrawn from the agenda.

Seasons Preliminary Subdivision Plan - The Board acknowledged the time extension of the Seasons Preliminary Subdivision Plan to July 31, 2006.

Locust Point Garage Final Land Development Plan - The Locust Point Final Land Development Plan is not ready to come before the Board.

Bupp/McNaughton Preliminary Subdivision Plan - The Board acknowledged the time extension of the Bupp/McNaughton Preliminary Subdivision Plan to September 21, 2006.

Ashcombe Farms South Preliminary Subdivision Plan - The Board acknowledged the time extension of the Ashcombe Farms South Preliminary Subdivision Plan to September 29, 2006.

Ashcombe Farms West Phases 4, 5, and 6 Final Subdivision Plan - Tom Scully of R. J. Fisher and Associates Inc. presented the final subdivision plan for Ashcombe Farms West Phases 4, 5, and 6. Thirty three single family homes and twenty one townhouses are proposed for Phases 4, 5, and 6. **Motion** by M. Shermeyer and second by D. Hull to approve the Ashcombe Farms West Phases 4, 5, and 6 Final Subdivision Plan

conditioned on the completion of the following outstanding items: 2. The legal and/or equitable Owner's notarized signature added to the plan; 3. Township Solicitor's approval of the homeowners' association documents; 5. Township Engineer's approval of the sewer design; and 10. Payment of recreation in-lieu-of fee. **Passed with 5 ayes.**

ENGINEER'S REPORT by Terry Myers

Brookside Building No. 2 - Mr. Myers reported that the C. S. Davidson Structural Engineers met with the Recreation Director to look at Building No. 2 in Brookside Park. They did preliminary sketches and measurements of the building to obtain a cost estimate of the removal and replacement of a similar style and appearance in order to meet the current building code. The same construction style and materials can be used to maintain the historical effect. The cost estimate should be complete within two weeks. Further discussion will be held to determine a construction time frame.

Brookside Park Pedestrian Bridge - An amendment to the original permit was received from DEP. The bid specifications are ready for advertisement. The advertisement will be published in the newspaper on June 27 and 30, 2006. The specifications include the excavation, construction of the new abutments, and the coordination of delivery and placement of the bridge. Bid proposals will be opened on July 10, 2006. Mr. Myers will have a recommendation prepared for the Supervisors Meeting that evening. Bid information will be sent to Keystruct, Kinsley, and Aaron Enterprises. Supervisor Kann suggested sending a bid notice to Wagman Constuction.

Butter Road Bridge Repair - Mr. Myers advised that Keystruct has completed the bridge repair work on Butter Road.

PennDOT Highway Occupancy Permit Application - Mr. Myers reported that Ashcombe Farms South has prepared a highway occupancy permit application with PennDOT for installation and connection of the water line to the existing main on Route 74. **Motion** by D. Hull and second by M. Shermeyer to authorize the Chairman to sign the PennDOT Highway Occupancy Permit Application in order to receive the PennDOT HOP Permit which will allow the water connection at Route 74. **Passed with 5 ayes.**

SOLICITOR'S REPORT by Atty. Rausch

Sanitary Sewer Easement for 4641 South Salem Church Road - Atty. Rausch explained that this sanitary sewer easement agreement is necessary for the Donwood Subdivision Plan to tie into Dover Township's Interceptor line. This sewer easement will belong to the Township. **Motion** by M. Husson and second by C. Kann to approve the Sanitary Sewer Easement Agreement with William and Evelyn Schaeffer of 4641 South Salem Church Road. **Passed with 5 ayes.**

Atty. Rausch requested an Executive Session on the Glen Gery litigation.

MANAGER'S REPORT by Laurel Wilson

NIMS Implementation Plan Approval - Manager Wilson requested approval of the NIMS Implementation Plan since the question raised at the previous meeting was satisfactorily answered. **Motion** by M. Shermeyer and second by M. Husson to approve the NIMS Implementation Plan. **Passed** with 5 ayes.

Amendment to the Interceptor Rehabilitation Design Project - Manager Wilson reported that two quotes were received for the rehabilitation design of the Interceptor. The lower quote was from Mr. Rehab, Inc. for a cost of \$69,710.50. Ms. Simon checked on the qualifications of the contractor. This item was budgeted for this year. **Motion** by C. Kann and seconded by D. Hull to approve the amendment to the Interceptor Rehabilitation Design Project in the amount of \$69,710.50 to Mr. Rehab, Inc. **Passed** with 5 ayes.

2007 York County SPCA Stray Animal Housing and Disposal Agreement - Manager Wilson requested approval of the 2007 York County SPCA Agreement for the housing and disposal of stray animals. She explained that the cost increased one hundred dollars from the past two years. The contract price for 2007 is \$3,300. **Motion** by M. Husson and second by M. Shermeyer to approve the 2007 Stray Animal Housing and Disposal Agreement with the York County SPCA in the amount of \$3,300. **Passed** with 5 ayes.

Letter to State Rep Providing List of PennDOT Road Projects - Manager Wilson suggested submitting a list of recommended State road projects within Dover Township to the State Representative and PennDOT. She felt that this procedure would put them on notice of possible roads that should be addressed by the State. She related issues that she was aware of. The first issue came from a business owner to restrict left turns into and out of the Giant/Stauffers parking area from Route 74 due to numerous accidents. Supervisor Hull reported that a previous accident report from Northern York County Regional Police showed minimal accidents at that location. He recalled that the accident accounts were from motorists not paying attention and running into the rear of cars stopped at the light. The Township Engineer explained that a future subdivision plan may be addressing that situation with the proposed extension of Palomino Road. Manager Wilson will not present this request. The second issue was a concern from Supervisor Husson to address the knolls on Canal Road so that the motorists at the intersections of Fox Run Road and at Park Street can view oncoming traffic. Supervisor Husson spoke with the Project Manager of the Canal Road project, but he claimed that PennDOT was not prepared to do this type of extensive work. The project only involves a two inch overlay and the traffic lines repainted on a portion of East Canal Road. The Board agreed to include this issue in the letter. The third issue was the previously discussed northbound stacking lane from Route 74 on to Alta Vista Road. The Board was in agreement to add the stacking lane issue in the letter. The fourth issue was a letter received from a realtor dealing with controlling the amount of truck traffic on South Salem Church Road which is a State Road.

Manager Wilson noted passing this information on to the State and the Board concurred.

OLD BUSINESS

Sign Ordinance - Chair Patterson stated that a work session was held on June 12th with extensive discussion on signs. Atty. Rausch related that Atty. MacNeal is working on some draft proposals for the Board. Chair Patterson thought the Board should await her documentation. The Board will plan on holding a work session on July 10th at 6 PM to continue work on revising the Sign Ordinance. Since Supervisors Hull and Patterson will not be present at this work session, they will submit written comments to Atty. MacNeal.

Industrial/Commercial Zone Outside Storage Ordinance - Atty. Rausch acknowledged that the amendments to the Industrial/Commercial Zone Outside Storage Ordinance are being advertised and will be proposed for adoption in July.

Burn Ordinance - Revisions need to be finalized on the Burn Ordinance.

ATV Ordinance - A work session was held at 6 PM this evening and further discussion will resume on the ATV Ordinance at a later date to be announced.

Billing Insurance for Rescue Truck Calls - Manager Wilson reported that the insurance billing is still with Chief Latchaw who is awaiting information from one more contact.

Personnel Policy Update - Manager Wilson related that Ms. Ladd has reviewed the revised Personnel Policy Manual and changes are in process.

Accessory Family Dwellings - Supervisor Shermeyer provided the Board with Atty. Craley's issues on the current regulations for Accessory Family Dwellings. An issue did arise on this subject matter at a previous Zoning Hearing Board Meeting and Atty. Craley's sentiments were that he prefer it be rectified so there are no similar future occurrences for the Zoning Hearing Board.

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

Supervisor Husson presented Atty. Bergdoll's attempt to revisit the issue of developing the Dover Rail Trail along the old trolley line. He wants to look into acquiring another grant. Supervisor Husson stated that the Board may want to consider discussing this issue again because of the quantity of people moving into the Township. Supervisor Shermeyer was not receptive to the idea because she knows that the trail will never extend into West Manchester Township. Chair Patterson encouraged Atty. Bergdoll to apprise the Board of his progress.

Supervisor Shermeyer noted an important article in the PSATS News Bulletin regarding the Representatives consideration of the Uniform Construction Code (UCC) Bill that would place restrictions on municipalities. It urged Supervisors to contact their State Representatives. She has Rep. Mackereth's email address. She mentioned one example of a change in the Bill that would allow contractors to choose their own inspector if the Township's Inspector does not show within a twenty-four hour period. She expressed her ideas to Rep. Mackereth and asked her not to vote for this piece of legislation. She indicated that there are several good articles in this month's News Bulletin.

Supervisor Shermeyer commented that household garbage should not be placed at the curb before 5 PM the evening prior to the trash collection day. This is in accordance with the Ordinance. A reminder should be published in the Township Newsletter and possibly in the local newspapers.

Ms. Sprengel updated the Board on a Zoning Hearing Board Case regarding the replacement of mobile homes within the floodway along Pine Road. The ZHB upheld the variance, the special exception, and the Zoning Officer's interpretation. Everything was denied that was requested.

Chair Patterson requested that the utility bills contain water and sewer emergency phone numbers or instructions in case for these types of emergencies. 911 is capable of handling all these emergencies because they have Dover Township's Emergency Call List.

Chair Patterson noted that East Berlin has pedestrian crossing signs in the middle of their main street and this same idea could be used with the Salem Church issue. Supervisor Shermeyer explained that the Highway Crew Leader, Glenn Kern, has resolved this issue. He devised a green florescent traffic cone with a church crossing sign and flasher attached to the top. The church will reimburse the Township for the two signs. They used them recently and discovered that some revamping must be done to make the bases heavier so that the signs cannot be easily knocked over. Supervisor Shermeyer commended Mr. Kern for his solution to this problem.

There were no comments from the public present at this time.

ADJOURNMENT

Motion by D. Hull and second by C. Kann to adjourn the regular meeting at 9:26 PM into an Executive Session on the Glen Gery litigation. Passed with 5 ayes.